IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

AND
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL No.274 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29-12-2003 in W.P.No.26716 of 2003 on the file of the High Court.)

Between:

1. Smt.J.Vasanthamma, W/o.Natarajan,
R/o. Mangalam Village, Chandragiri Mandal,Chittoor District.
2.J.Natarajan, S/o.J.Rangabhashyam Reddy,
R/o. Mangalam Village, Chandragiri Mandal, Chittoor District.
3.J.Ramesh, S/o. Natarajan,
R/o. Mangalam Village, Chandragiri Mandal, Chittoor District.
4.J.Murali, S/o. Natarajan,
R/o. Mangalam Villlage, Chandragiri Mandal, Chittoor District.
5.J.Kalavathi, W/o. P.Venkateswarlu, R/o. Mangalam Village, Chandragiri Mandal, Chittoor District.
6.J.Bhaskar, S/o. Natarajan,
R/o. Mangalam Village, Chandragiri Mandal,
Chittoor District.
7.J.Manjula, W/o. Muneemdra,
R/o. Mangalam Village, Chandragiri Mandal,
Chittoor District.

..... APPELLANTS.

AND

1.The Commissioner, Endowments Department,
Tilak Road, Hyderabad.
2. Sri Swamy Hathiramjee Mutt, Tirupati,

rep., by the Asst. Commissioner of Endowments,
Tirupati, Incharge of its Administration.
3.P.Srinivasulu Naidu, S/o. Venkatesulu Naidu,

R/o.291, Bhavani Nagar, Tirupati, Chittoor district.

.....RESPONDENTS.

Counsel for the Appellant: Mr.M.JANARDHAN RAO

Counsel for Respondent No.1 : G.P. FOR ENDOWMENTS

Counsel for Respondent No.2 : Mr.V.VENUGOPAL REDDY

Counsel for Respondent No.3 : None appeared.

The Court made the following :

ORAL JUDGMENT: (per the Hon'ble the Chief Justice)

This writ appeal is filed against the order passed by the learned single Judge dismissing the writ petition.

Appellants claiming to be the successors-in-interest of one Gangi Reddy, alleged to be one of the lessees of the land in Sy.No.205 to an extent of Ac.24.25 cents situate at Thimminaidupalem, Chandragiri Taluk, Chittoor District, filed writ petition questioning the action of first respondent in having issued proceedings dated 1-10-1992 pursuant to which, except the property which was acquired for public purpose, remaining was sold to third respondent, and sought for a direction not to interfere with their alleged possession.

Learned single Judge dismissed writ petition on the ground that it was highly belated as impugned proceedings were issued in the year 1992 pursuant to which land was sold by second respondent in favour of third respondent.

During the course of submissions, learned counsel for the appellants submitted that appellants may be permitted to withdraw writ petition with liberty reserved to the appellants to seek redressal before appropriate forum in accordance with law. There is no objection from the learned counsel for the respondents in the appellants withdrawing the writ petition.

Writ appeal is allowed. Impugned order is set aside. Appellants' writ petition is dismissed as withdrawn with liberty reserved to the appellants to workout their remedies in accordance with law. No costs.

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(DEVINDER GUPTA, C.J.)

15th September 2004.

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(C.V.RAMULU, J.)

ARS

To

1.The Commissioner, Endowments Department,
Tilak Road, Hyderabad.
2. Asst. Commissioner of Endowments,
Sri Swamy Hathiramjee Mutt, Tirupati,

3.Two C.Cs to Govt. Pleader for Endowments, High Court Bldgs., Hyderabad (OUT).
4.Two C.D. copies.